UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/041,081	01/07/2002	Jonathan D. Levine	D/A1202;690-010417-US (PA	2426

7590 09/27/2005	EXAMINER
Clarence A. Green	PAULA, CESAR B
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ART UNIT	PAPER NUMBER
2178	

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DATE MAILED: 09/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *18 February 2005*.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-38* is/are pending in the application.

     4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-38* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

     a)☐ All   b)☐ Some *   c)☐ None of:

         1.☐ Certified copies of the priority documents have been received.

         2.☐ Certified copies of the priority documents have been received in Application No. _____.

         3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

     * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

1.   This action is responsive to the amendment filed on 2/18/2005.

This action is made Final.

2.   In the amendment, claims 1-38 are pending in the case. Claims 1, and 20 are independent

claims.

Drawings

3.   The drawings filed on 1/7/2002 have been approved by the examiner.

Claim Objections

4.   Claim 7 is objected to because of the following informalities: The claim recites

"a International Standard Book Number". This better reads as "an International Standard Book

Number". Appropriate correction is required.

Claim Rejections - 35 USC § 112

5.   The rejections of claims 4-8, 12-13, 23-27, and 31-32 have been withdrawn as

necessitated by the amendment.

Claim Rejections - 35 USC § 102

6.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7.   Claims 1-3, 9-22, and 28-38 remain rejected under 35 U.S.C. 102(e) as being anticipated

by Warmus et al, hereinafter Warmus (Pat.# 6,332,149 B1, 12/18/2001, filed on 2/11/1997).

Regarding independent claim 1, Warmus discloses the development of template files

representing pages of books to be reproduced –*receiving as book files digital representation of a*

book -- (col. 10, lines 45-67).

Moreover, Warmus discloses stripping or converting the template files from variable or

fixed information–*converting said book files to have a solution-independent, intermediate*

format. These files contain information specifying the positioning of fixed and variable

information—*storing solution-independent, intermediate formatted book files along with book*

identification information(generic or independent format with information identifying fixed and

variable positioning) *as a mastered book* (col. 10, lines 45-67, col.11, lines 34-44).

Moreover, Warmus discloses converting the stripped files into master PDL files

expressed in a page description language –*converting solution-independent, intermediate*

formatted book files to solution-dependent (page description format) *formatted book files* -- (col. 11, lines 1-3, 33-36).

Furthermore, Warmus discloses using commands in a press file to create the finished books or book versions *–reproducing said book* -- (col. 11, lines 45-51).

Regarding claim 2, which depends on claim 1, Warmus discloses the development of template files representing pages of books to be reproduced *–said book is in the form of electronic files* -- (col. 10, lines 45-67).

Regarding claim 3, which depends on claim 1, Warmus discloses scanning book pages into a system and printing them over a network *–scanning and converting scanned components into said digital representation* -- (col. 8, lines 8-30).

Regarding claim 9, which depends on claim 1, Warmus discloses the development of template files representing pages of books to be reproduced or printed *–generating hard copy book production information* -- (col.9, lines 12-44, col. 10, lines 45-67).

Regarding claim 10, which depends on claim 1, Warmus discloses using commands – *printing information* -- in a press file to create the finished books or book versions (col. 11, lines 45-51).

Regarding claim 11, which depends on claim 9,Warmus discloses creating the finished

books or book versions in a "saddle-stitch" format –*binding information* -- (col. 9, lines 12-22).

Regarding claim 12, which depends on claim 1,Warmus discloses using a RIP processor

for converting the book page files into bitmap page files –*creating a bitmap of the book block* --

(col. 8, lines 63-67).

Regarding claim 13, which depends on claim 1,Warmus discloses using a RIP processor

for converting the book, which includes a cover, page files into bitmap page files –*creating a*

bitmap of the book block -- (col. 8, lines 63-67, col.9, lines 45-61, fig.6A-B).

Regarding claim 14, which depends on claim 1, Warmus discloses the development of

template files representing pages of books to be reproduced or printed –*generating hard copy*

book production information -- (col.9, lines 12-44, col. 10, lines 45-67).

Regarding claim 15, which depends on claim 1,Warmus discloses using a format, having

watermarks and barcode—*security information--,* for the book pages to be printed (col. 29, lines

22-35, col. 30, lines 6-12).

Regarding claim 16, which depends on claim 1, Warmus discloses using a RIP processor

for converting the book, page files into bitmap page files which are used to control a CRT or

LCD display *–book presentation information comprises viewing capabilities* -- (col. 7, lines 24-

42).

Regarding claim 17, which depends on claim 1, Warmus discloses using a RIP processor

for converting the book, page files into bitmap page files which are used to control a printer –

book presentation information comprises printing capabilities -- (col. 7, lines 24-42).

Regarding claim 18, which depends on claim 1, Warmus discloses sending the book files

to a remote location via the Internet *–providing access to said book via an electronic link* -- (col.

7, lines 34-52).

Regarding claim 19, which depends on claim 1, Warmus discloses sending the book files,

via email, to a remote location via a computer network *–delivering said book to a predefined*

destination -- (col. 7, lines 34-52).

Claim 20 is directed towards a computer system for implementing the steps found in

claim 1, with the exception of a *book reproduction workflows*—which is taught by the method

for producing books that includes several conversion and other production steps-- *book*

reproduction workflows --, as taught by Warmus (col.10, lines 45-col.11, line50, and therefore is

similarly rejected.

Claims 21-22, and 28-38 are directed towards a computer system for implementing the

steps found in claims 2-3, 9-13, 9, 15-19 respectively, and therefore are similarly rejected.

Claim Rejections - 35 USC § 103

8.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

9.   Claims 4-8, and 23-27 remain rejected under 35 U.S.C. 103(a) as being unpatentable over

Warmus, in view of Dickmeyer et al, hereinafter Dickmeyer (Pat. # 6,413,100 B1, 7/2/2002,

filed on 8/8/2000).

Regarding claim 4, which depends on claim 1, Warmus discloses using a RIP processor

for converting the book, which includes a cover, page files into bitmap page files (col. 8, lines

63-67, col.9, lines 45-61, fig.6A-B). Warmus fails to explicitly disclose: *said book identification*

information comprises the book title. However, Dickmeyer teaches providing the title of a book

allowing book object identification (col.5, lines 57-67). It would have been obvious to a person

of ordinary skill in the art at the time of the invention to combine Warmus, and Dickmeyer,

because Dickmeyer teaches providing students online resources for searching and provide results

targeted at specific areas the students are having problem (col. 3, lines 60-67). This allows the

student to quickly and effectively retrieve data tailored to the student's needs.

Regarding claim 5, which depends on claim 1, Warmus discloses using a RIP processor

for converting the book, which includes a cover, page files into bitmap page files (col. 8, lines

63-67, col.9, lines 45-61, fig.6A-B). Warmus fails to explicitly disclose: *said book identification

information comprises the book author*. However, Dickmeyer teaches providing the author of a

book allowing book object identification (col.5, lines 57-67). It would have been obvious to a

person of ordinary skill in the art at the time of the invention to combine Warmus, and

Dickmeyer, because Dickmeyer teaches providing students online resources for searching and

provide results targeted at specific areas the students are having problem (col. 3, lines 60-67).

This allows the student to quickly and effectively retrieve data tailored to the student's needs.

Regarding claim 6, which depends on claim 1, Warmus discloses using a RIP processor

for converting the book, which includes a cover, page files into bitmap page files (col. 8, lines

63-67, col.9, lines 45-61, fig.6A-B). Warmus fails to explicitly disclose: *said book identification

information comprises the book publisher* However, Dickmeyer teaches providing the publisher

of a book allowing book object identification (col.5, lines 57-67). It would have been obvious to

a person of ordinary skill in the art at the time of the invention to combine Warmus, and

Dickmeyer, because Dickmeyer teaches providing students online resources for searching and

provide results targeted at specific areas the students are having problem (col. 3, lines 60-67).

This allows the student to quickly and effectively retrieve data tailored to the student's needs.

Regarding claim 7, which depends on claim 1, Warmus discloses using a RIP processor for converting the book, which includes a cover, page files into bitmap page files (col. 8, lines 63-67, col.9, lines 45-61, fig.6A-B). Warmus fails to explicitly disclose: *said book identification information comprises the International Standard Book Number.* However, Dickmeyer teaches providing the ISBN of a book allowing book object identification (col.5, lines 57-67). It would have been obvious to a person of ordinary skill in the art at the time of the invention to combine Warmus, and Dickmeyer, because Dickmeyer teaches providing students online resources for searching and provide results targeted at specific areas the students are having problem (col. 3, lines 60-67). This allows the student to quickly and effectively retrieve data tailored to the student's needs.

Regarding claim 8, which depends on claim 1, Warmus discloses using a RIP processor for converting the book, which includes a cover, page files into bitmap page files (col. 8, lines 63-67, col.9, lines 45-61, fig.6A-B). Warmus fails to explicitly disclose: *said book identification information comprises the book publishing date.* However, Dickmeyer teaches providing the copyright date of a book allowing book object identification (col.5, lines 57-67). It would have been obvious to a person of ordinary skill in the art at the time of the invention to combine Warmus, and Dickmeyer, because Dickmeyer teaches providing students online resources for searching and provide results targeted at specific areas the students are having problem (col. 3, lines 60-67). This allows the student to quickly and effectively retrieve data tailored to the student's needs.

Claims 23-27 are directed towards a computer system for implementing the steps found in claims 3-8 respectively, and therefore are similarly rejected.

Response to Arguments

10.   Applicant's arguments filed 2/18/2005 have been fully considered but they are not persuasive. The Applicants submit that Warmus fails to teach the following elements: b) converting said book files to have a solution-independent, intermediate format;

c) storing solution-independent, intermediate formatted book files along with

book identification information as a mastered book;

d) converting solution-independent, intermediate formatted book files to solution-

dependent formatted book files to match the needs of a book reproduction system; and

e) reproducing said book from information comprised by said solution-dependent

formatted book files. (page 13). The Examiner disagrees, because Warmus discloses stripping or converting the template files from variable or fixed information–*converting said book files to*

have a solution-independent, intermediate format. These files contain information specifying the positioning of fixed and variable information—*storing solution-independent, intermediate*

formatted book files along with book identification information(generic or independent format with information identifying fixed and variable positioning) *as a mastered book* (col. 10, lines 45-67, col.11, lines 34-44).

Warmus also discloses converting the stripped files into master PDL files expressed in a page description language –*converting solution-independent, intermediate formatted book files*

to solution-dependent (page description format) *formatted book files --* (col. 11, lines 1-3, 33-36).

Furthermore, Warmus discloses using commands in a press file to create the finished

books or book versions *–reproducing said book* -- (col. 11, lines 45-51).

The Applicants indicate that Dickmeyer fails to teach or suggest the invention (page14).

The Examiner disagrees, because Warmus fails to explicitly disclose: *said book identification*

information comprises the book title. However, Dickmeyer teaches providing the title of a book

allowing book object identification (col.5, lines 57-67). It would have been obvious to a person

of ordinary skill in the art at the time of the invention to combine Warmus, and Dickmeyer,

because Dickmeyer teaches providing students online resources for searching and provide results

targeted at specific areas the students are having problem (col. 3, lines 60-67). This allows the

student to quickly and effectively retrieve data tailored to the student's needs.

Conclusion

11.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing

date of this final action.

I.   Any inquiry concerning this communication or earlier communications from the examiner

should be directed to Cesar B. Paula whose telephone number is (571) 272-4128. The examiner

can normally be reached on Monday through Friday from 8:00 a.m. to 4:00 p.m. (EST).
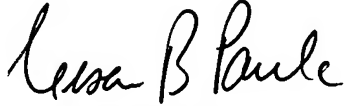
If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Stephen Hong, can be reached on (571) 272-4124. However, in such a case, please

allow at least one business day.

Information regarding the status of an application may be obtained from the Patent

Application Retrieval (PAIR) system. Status information for published applications may be

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Any response to this Action should be mailed to:
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• **(571)-273-8300** (for **all** Formal communications intended for entry)

**CESAR PAULA
PRIMARY EXAMINER**
9/26/05